

## REMARKS

Favorable reconsideration of this application, in light of the following discussion and in view of the present amendment, is respectfully requested.

Claims 1-3, 8-13, 18, and 20 are allowed. Claim 21 has been amended herein. Claims 1-3, 8-13, 18, and 20-21 are pending and under consideration.

### I. Rejections under 35 U.S.C. § 103

In the Office Action, at pages 2-3, claim 21 was rejected under 35 USC § 103(a) as being unpatentable over Fatehi (U.S. Patent No. 6,600,581) in view of Ford (U.S. Patent No. 6,392,769).

Claim 21 has been amended to recite:

a plurality of power detection units detecting a power of each of the plurality of wavelength components and judging whether or not an optical signal is down;

a plurality of determination units determining whether or not said identifier stored in the predetermined position in each of the plurality of wavelength components is normal; and

a judgment unit judging said identifier associated with each of the plurality of wavelength components is abnormal when said determination unit associated with the corresponding wavelength component determines that the identifier is not normal and said power detection unit associated with the corresponding wavelength component judges that the optical signal is not down and outputting alarm information indicating said identifier is abnormal, and judging that an input signal associated with the corresponding wavelength component is down irrespective of a determination of the corresponding determination unit when the power detection unit associated with the corresponding wavelength component judges that the optical signal is down and outputting alarm information indicating the input signal is down, wherein each identifier identifies a channel associated with each of the wavelength components and is uniquely determined by the channel.

It is respectfully submitted that the combination of Fatehi and Ford does not teach each of these features of claim 21 and, thus, the rejection is respectfully traversed.

As currently recited, claim 21 provides that whether or not each identifier is abnormal is based on both a determination result from the determination unit and a judgment result from the power detection unit. More specifically, the judgment unit judges that the identifier associated with each of the wavelengths components is abnormal when the determination unit associated with the corresponding wavelength component determines that the identifier is not normal and

the power detection unit associated with the corresponding wavelength component judges that the optical signal is not down. Furthermore, the judgment unit does not judge that the identifier is abnormal even if the determination unit determines that the identifier is abnormal when the power detection unit judges that the optical signal is down. That is, the judgment unit judges that an input signal associated with the corresponding wavelength component is down irrespective of a determination of the corresponding determination unit when the power detection unit associated with the corresponding wavelength component judges that the optical signal is down.

Fatehi, at col. 8, lines 42-57, discloses:

At cross-connect output port (Y) 120, the connection verification message is retrieved (e.g., in read mode) from the optical signal in step 615. Step 620 checks for message error by regenerating the error check field (408 from FIG. 4) and comparison with that of the message. If the message is in error (step 625), then controller 102 is notified, alarms are raised, etc. (step 630). If the message is not in error in step 625, then the message identification field 401 of connection verification message format 400 (FIG. 4) is read at cross-connect output port (Y) 120 for  $\lambda$ .2. If the message identification is not correct (step 640), then the controller is notified (step 630) of the error and all message fields in connection verification message 400 are reported to controller 102 (FIG. 2). If the message identification is correct, then the remaining fields are then checked in step 705 as shown in process 650 in FIG. 7.

Thus, the optical cross-connect of Fatehi notifies the controller 102 of a message error even if the optical signal is down when the message error is detected in steps 625, 640, which is in contrast to claim 21. Furthermore, Ford fails to make up for this deficiency in Fatehi and the Examiner has not relied on Ford as teaching these features of claim 21.

Since Fatehi and Ford, alone or in combination, do not discuss or suggest all of the features of claim 21, claim 21 patentably distinguishes over Fatehi and Ford. Accordingly, withdrawal of the § 103(a) rejection is respectfully requested.

## II. Allowable Subject Matter

Applicant's appreciate the Examiner's indication that claims 1-3, 8-13, 18, and 20 are allowed.

## CONCLUSION

There being no further outstanding objections or rejections, it is submitted that the application is in condition for allowance. An early action to that effect is courteously solicited.

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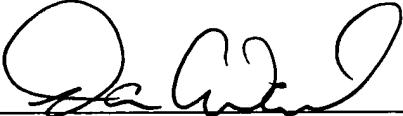
Finally, if there are any formal matters remaining after this response, the Examiner is requested to telephone the undersigned to attend to these matters.

If there are any additional fees associated with filing of this Amendment, please charge the same to our Deposit Account No. 19-3935.

Respectfully submitted,

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